

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



April 21, 1999

ALL COUNTY LETTER NO. 99-28

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CHIEF PROBATION OFFICERS
ALL GROUP HOME PROVIDERS
ALL FOSTER FAMILY AGENCIES
ALL COUNTY MENTAL HEALTH DIRECTORS

REASON FOR THIS TRANSMITTAL

- ☐ State Law Changes
- ☐ Federal Law of Regulations Change
- ☐ Court Order or Settlement Agreement
- ☐ Clarification Requested by One or More Counties
- ☒ Initiated by CDSS

SUBJECT: FOSTER CARE; CHILDREN'S SERVICES PROGRAM DEVELOPMENT

REFERENCE: SENATE BILL 933, (Chapter 311, Statutes of 1998)
WELFARE AND INSTITUTIONS CODE SECTIONS 18987.6, 18987.61 and 18987.62
ACIN NO. I-60-98

The purpose of this letter is to provide additional information regarding development of alternative services to group home care through expanded family-based programs pursuant to Senate Bill (SB) 933 (Chapter 311, Statutes of 1998).

Welfare & Institutions Code (W&I) sections 18987.6, .61 and .62 permit a county to use existing funding to enter into performance agreements with private, nonprofit agencies to encourage innovation in the delivery of children's services, to develop services not already available in the county, and to promote change in the child welfare services system. The performance agreements must be for services that enhance the ability of children to remain in the least restrictive, family setting possible and address the needs and strengths of children and their families.

The alternative programs developed under these statutes must operate within the county or another county, with the approval of the "host" county, and must serve children residing in group homes or who are at risk for group home placement. Agreements for alternative services programs can be for up to a three-year period.

To facilitate the development of an alternative services program, the Director of the California Department of Social Services (CDSS) may waive State regulations governing foster care payments or the operation of group homes to enable counties to implement the performance agreements. Within three months following the end of the agreement, the county must prepare and submit a report to the Director of CDSS with information on the details of the agreement, the results achieved during operation, and how the alternative services may be applied to a wider population.

Any State waiver granted by the Director shall apply only to services provided under the terms and duration of the agreement. Regulations that apply to the health and safety of children served by participating private agencies cannot be waived.

A State waiver shall only be granted when all of the following apply:

- The agreement promises to offer a worthwhile test of an innovative approach or encourages the development of a new service to meet a recognized need;
- Existing regulatory requirements prevent the implementation of the agreement; and
- The requesting county monitors the agreement via performance measures to ensure that the purpose of the waived regulation(s) will be achieved.

In order to expedite review of State waiver requests, counties are strongly encouraged to be as specific as possible in describing the alternative services being proposed. Waiver requests should address the following:

- A description of the alternative services being tested;
- The population of foster children who will receive the alternative services;
- Citation of regulations for which waiver is sought;
- How the alternative services will be funded;
- The identity of the parties to the performance agreement(s) and the duration of each agreement, or the process to be used for selecting service providers;
- The performance measurements that will be utilized to monitor achievements;
- The level of local community participation anticipated from use of the alternative services;
- A description of the collaborative process proposed or used to develop the alternative services; and
- A description of how the county will share in any costs resulting from any loss of federal funds.

Requests for waivers should be directed to:

**California Department of Social Services
Foster Care Program Development Bureau
744 P Street, M.S. 19-71
Sacramento, California 95814**

Please include with the waiver request, the name and telephone number of a person who may be contacted regarding the waiver request. Upon receipt of the waiver request, CDSS will call the contact person to acknowledge receipt and, if necessary, request additional information or clarification.

The waiver authority granted under these statutes will expand county options to test and explore alternative services to group home care by developing family-based services programs to meet the needs of children in, or who are at risk of being placed in, group care. In developing these alternative programs, CDSS, counties and communities have the opportunity to work together to develop programs in local communities that best serve the needs of children and families in the community. CDSS is confident that through this exciting partnership new innovative approaches for providing services to children in group care will be realized.

Any questions regarding this letter should be directed to the Foster Care Program Development Bureau, Innovative Programs Unit, at (916) 324-5809.

Sincerely,

***Original Document Signed By
Marjorie Kelly on 4/21/99***

MARJORIE KELLY
Deputy Director
Children and Family Services Division

c: CWDA